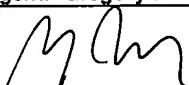
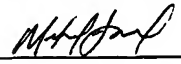


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UTILITY PATENT APPLICATION TRANSMITTAL		Attorney Docket No.: 16172.0001U2																																		
(Only for new nonprovisional applications under 37 CFR 1.53(b))		First Inventor: Joseph R. Adamski																																		
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility application contents		Title: VARIABLE RATE AND CLARITY ICE MAKING APPARATUS																																		
		Express Mail Label No.: EL970609274US																																		
		ADDRESS TO: Mail Stop PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450																																		
1. <input checked="" type="checkbox"/> Specification [Total Pages 22] (Includes cover sheet, description, claims, and abstract)		6. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large tables or Computer Program (Appendix)																																		
2. <input checked="" type="checkbox"/> Drawings [Total Sheets 9]		ACCOMPANYING APPLICATION PARTS: 7. <input type="checkbox"/> Copy of Assignment 8. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) 9. <input type="checkbox"/> Power of Attorney 10. <input type="checkbox"/> English Translation Document (if applicable) 11. <input type="checkbox"/> Information Disclosure Statement/PTO-1449 <input type="checkbox"/> Copies of IDS Citations [Total Citations ____] 12. <input type="checkbox"/> Preliminary Amendment 13. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 14. <input checked="" type="checkbox"/> Nonpublication Request under 35 USC 122(b)(2)(B)(i) (Must attach form PTO/SB/35 or equivalent). 15. <input type="checkbox"/> Authorization to Treat Reply Requiring Extension of Time as Incorporating Petition for Extension of Time 16. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) 17. <input type="checkbox"/> Other: _____ _____ _____																																		
3. <input type="checkbox"/> Oath or Declaration [Total Pages] a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 20B completed)																																				
4. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 [Total Pages ____]																																				
5. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) -OR- <input type="checkbox"/> Statement under 37 CFR 1.821(e) (see Box 21 for statement) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper [Total Pages ____] c. <input type="checkbox"/> The contents of the computer readable form of the sequence listing and the sequence listing in the specification of the application are the same.																																				
18. The FILING FEE is calculated as follows: (Claims as filed, less any claims cancelled by Amendment)																																				
<table border="1"><thead><tr><th>Claims</th><th>Number Filed</th><th>Number Extra</th><th>Rate</th><th>\$770.00 (Basic Fee)</th></tr></thead><tbody><tr><td>Total claims</td><td>[43] - 20 =</td><td>23</td><td>X \$18.00</td><td>\$414.00</td></tr><tr><td>Independent claims</td><td>[6] - 3 =</td><td>3</td><td>X \$84.00</td><td>\$252.00</td></tr><tr><td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td><td>+ 280.00 \$</td></tr><tr><td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td><td>\$1436.00</td></tr><tr><td colspan="4"><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees are reduced by 1/2. -</td><td>\$718.00</td></tr><tr><td colspan="4">TOTAL FILING FEE =</td><td>\$718.00</td></tr></tbody></table>		Claims	Number Filed	Number Extra	Rate	\$770.00 (Basic Fee)	Total claims	[43] - 20 =	23	X \$18.00	\$414.00	Independent claims	[6] - 3 =	3	X \$84.00	\$252.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ 280.00 \$	TOTAL OF ABOVE CALCULATIONS =				\$1436.00	<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees are reduced by 1/2. -				\$718.00	TOTAL FILING FEE =				\$718.00
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19. Payment: <input type="checkbox"/> A check in the amount of \$_____ is enclosed. <input type="checkbox"/> Credit Card Payment Form PTO-2038 Authorizing Payment in the amount of \$_____ is enclosed. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional amount due or credit any overpayment to Deposit Account No.																																				

20A.	<input checked="" type="checkbox"/>	This application is an original application (<u>not</u> a continuation, divisional or continuation-in-part).
20B.	<input type="checkbox"/>	This application is a <input type="checkbox"/> continuation-in-part / <input type="checkbox"/> continuation / <input type="checkbox"/> divisional The prior application was assigned to: The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference. <input type="checkbox"/> This application is a continuation or divisional application (<u>not</u> a continuation-in-part) that: (i) names as inventors the same or fewer than all the inventors named in the prior application; and (ii) contains no matter that would have been new matter in the prior application; and (iii) a copy of the executed oath or declaration in the prior application, showing the signature or an indication thereon that it was signed: <div style="margin-left: 40px;"><input type="checkbox"/> is enclosed. <input type="checkbox"/> will follow.</div> <input type="checkbox"/> This application is a continuation or divisional application (<u>not</u> a continuation-in-part) that is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. §1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person who are not inventors of the invention being claimed in this application: <div style="border: 1px solid black; height: 1.2em; margin-top: 5px;"></div> <input type="checkbox"/> This application is a continuation-in-part, continuation or divisional application naming an inventor not named in the prior application. A newly executed oath or declaration: <div style="margin-left: 40px;"><input type="checkbox"/> is enclosed. <input type="checkbox"/> will follow.</div>
21.	<input type="checkbox"/>	A sequence listing in computer readable form in compliance with 37 C.F.R. §§ 1.821-1.825 was submitted on _____ in prior Application No. _____, filed _____. Pursuant to 37 C.F.R. § 1.821(e), applicant hereby requests that the computer readable form of the sequence listing submitted in the above-referenced prior application be used as the computer readable form of the sequence listing for the new application. The paper or compact disk copy of the Sequence Listing in the new application is identical to the computer readable copy filed in the prior application.
22.	<input type="checkbox"/>	This application claims foreign priority benefits under 35 USC 119(a)-(d) or 365(b) of any foreign application(s) listed below, or under 35 USC 365(a) or 365(b) of any PCT application listed below.
23. Address all correspondence to the address associated with: CUSTOMER NO. 23859		
Name of Attorney/Agent: Gregory J. Kirsch		Registration No.: 35,572
Signature: 		Date: 13 JAN 2004
Certificate of Express Mailing Under 37 C.F.R. § 1.10		
I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as Express Mail, Label No. EL970609274US, in an envelope addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.		
 Michael Laird		1/13/04 Date

REQUEST AND CERTIFICATION UNDER 35 U.S.C. § 122(b)(2)(B)(i)	First Named Inventor Joseph R. Adamski	
	Title	VARIABLE RATE AND CLARITY ICE MAKING APPARATUS
	Atty Docket Number	16172.0001U2

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. § 122(b).

13 JAN 2004
Date



Signature

Gregory J. Kirsch
Reg No. 35,572

This request must be signed in compliance with 37 C.F.R. § 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. § 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. § 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SENT TO: MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450